

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KIM EDWARD ROGERS,  
  
Plaintiff,  
  
v.  
  
COUNTY OF SACRAMENTO, et al.,  
  
Defendants.

No. 2:24-cv-0237-DJC-CKD (PS)

ORDER TO SHOW CAUSE

Plaintiff filed a pro se civil complaint naming individual and entity defendants and asserting claims for unreasonable search and seizure under the Fourth Amendment, invasion of privacy, trespass, and larceny. (ECF No. 1.) This matter is before the undersigned pursuant to 28 U.S.C. § 636 and Local Rule 301(c)(21).

A pro se plaintiff may commence an action without paying the filing fees where the plaintiff submits an affidavit that includes a statement of all assets such person possesses that the person is unable to pay such fees or give security therefor. 28 U.S.C. § 1915(a). On September 13, 2024, this court denied plaintiff's motion to proceed in forma pauperis ("IFP") without prejudice. (ECF No. 14.) The court ordered plaintiff to take one of the following actions within 30 days: pay the \$405.00 court costs, seek an extension of time to do so, or file an amended IFP application using a "Long Form" application. (*Id.* at 5.) The court cautioned plaintiff that failure to timely pay the court costs or file an amended IFP application could result in sanctions,

1 including dismissal of the action with prejudice under Federal Rule of Civil Procedure 41(b). (Id.  
2 at 6.)

3 Plaintiff has filed a document styled as “Reply to Court Order dated September 13, 2024.”  
4 (ECF No. 15.) Therein, plaintiff states the court has denied plaintiff a fair hearing on the alleged  
5 violations of law, among other matters. (ECF No. 15.) Plaintiff has not, however, paid the filing  
6 fee, filed an amended IFP application, or sought an extension of time for either purpose.

7 In order to properly initiate this civil action, plaintiff must either pay the filing fee, see 28  
8 U.S.C.A. § 1914(a), or be granted leave to proceed IFP, see 28 U.S.C. § 1915(a). Plaintiff is  
9 hereby cautioned that failure to comply with any order of this court or the court’s Local Rules  
10 may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the  
11 inherent power of the court, up to and including dismissal of this action. See Local Rule 110; Fed.  
12 R. Civ. P. 41(b). With this warning in place, plaintiff will be ordered to either pay the court costs,  
13 file an amended IFP application, or show cause why this action should not be dismissed.

14 For the reasons set forth above, IT IS HEREBY ORDERED that within 14 days of the  
15 date of this order, plaintiff shall pay the filing fee, file an amended Long Form IFP application  
16 (“AO 239”), or show cause why this action should not be dismissed for plaintiff’s failure to do so.

17 Dated: February 6, 2025

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19 CAROLYN K. DELANEY  
20 UNITED STATES MAGISTRATE JUDGE  
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